

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

DOCKET NO.: 04- 11572 JLT

SUSAN COONEY,
Plaintiff,

v.

SAYBROOK GRADUATE SCHOOL
AND RESEARCH CENTER,
Defendant.

**DEFENDANT, SAYBROOK GRADUATE SCHOOL AND RESEARCH CENTER'S
PROPOSED SPECIAL JURY VERDICT FORM**

Defendant, Saybrook Graduate and Research Center ("Saybrook"), respectfully submits
the following proposed jury verdict form:

- Q.1. Did Susan Cooney and Saybrook Graduate School and Research Center ("Saybrook") enter into a valid and binding contract in which Saybrook was obligated to both monitor and inform Susan Cooney of changes in Massachusetts state psychology licensing laws while she was a student?

Yes _____ No _____

If your answer is "Yes," please proceed to the next question.

If your answer is "No," please skip to Question 5.

- Q.2. If you found a contract existed between Susan Cooney and Saybrook, did Susan Cooney fulfill all of her responsibilities under that contract?

Yes _____ No _____

If your answer is "Yes," please proceed to the next question.

If your answer is "No," please skip to Question 5.

- Q.3. If you found a contract existed between Susan Cooney and Saybrook, did Saybrook breach its responsibilities under the contract?

Yes _____ No _____

If your answer is "Yes," please proceed to the next question.

If your answer is "No," please skip to Question 5.

- Q.4. If you found a Saybrook breached a contract with Susan Cooney, did that breach cause Susan Cooney any damages?

Yes _____ No _____

Please proceed to the next question.

- Q.5. Did Saybrook make a promise to Susan Cooney that it would both monitor and inform Susan Cooney of changes in Massachusetts state psychology licensing laws while she was a student?

Yes _____ No _____

If your answer is "Yes," please proceed to the next question.

If your answer is "No," and you answered "No" to any of Questions 1, 2, 3 or 4, please "STOP HERE." The jury foreman needs to sign and date where indicated at the end of this form and return it to the Court Officer.

If you answer is "No," and you answered "Yes" to Questions 1, 2, 3, and 4, please skip to Question 8.

- Q.6. Was Susan Cooney's reliance reasonable?

Yes _____ No _____

If your answer is "Yes," please proceed to the next question.

If your answer is "No," and you answered "No" to any of Questions 1, 2, 3 or 4, please "STOP HERE." he jury foreman needs to sign and date where indicated at the end of this form and return it to the Court Officer.

If you answer is "No," and you answered "Yes" to Questions 1, 2, 3, and 4, please skip to Question 8.

- Q.7. Did Susan Cooney's reliance on a statement by Saybrook that it would both monitor and inform Susan Cooney of changes in Massachusetts state psychology licensing laws cause her any damages?

Yes _____ No _____

If your answer is "Yes," please proceed to the next question.

If your answer is "No," and you answered "No" to any of Questions 1, 2, 3 or 4, please "STOP HERE." he jury foreman needs to sign and date where indicated at the end of this form and return it to the Court Officer.

If you answer is "No," and you answered "Yes" to Questions 1, 2, 3, and 4, please skip to Question 8.

- Q.8. What amount of money, if any, would put Susan Cooney in the position she would have been had either Saybrook not breached a contract and/or not made Susan Cooney a promise that Saybrook would both monitor and inform her of changes in Massachusetts state psychology licensing laws?

_____ Dollars
(amount in words)

\$ _____
(numerical amount)

Please proceed to the next question.

- Q.9. If she had taken the appropriate steps, how much in total, could Susan Cooney have mitigated her damages or, in other words, reduced the amount she was damaged?

_____ Dollars
(amount in words)

\$ _____
(numerical amount)

Please proceed to the next question.

- Q.10. Please subtract the amount money stated in Answer to Question 9 from your Answer to Question 8.

Answer 8 \$ _____

Answer 9 — \$ _____

Total = \$ _____

Please have the jury foreman sign and date where indicated at the end of this form and return it to the Court Officer.

I hereby certify that at least _____ of the deliberating jurors concur in the answer to the above questions.

Dated: _____

Signature of Foreperson of the Jury

Respectfully submitted by,

Defendant,
Saybrook Graduate and Research Center
By its attorneys,

/s/ Grace V. Bacon Garcia

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Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on February 5, 2007.

/s/ Grace V. Bacon Garcia

Grace V. Bacon Garcia